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8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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11   KEVIN MICHAEL BUTLER,   No. 2:22-cv-0226 DAD DB PS

12   Plaintiff,

13   v.   ORDER

14   LACHELLE DOZIER, et al.,

15   Defendants,

16

17   Plaintiff Kevin Michael Butler is proceeding in this action pro se. This matter was

18   referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1).

19   By order signed April 18, 2022, plaintiff's complaint was dismissed, and plaintiff was granted

20   leave to file an amended complaint that cured the defects noted in that order. (ECF No. 4.)

21   Plaintiff was granted twenty-eight days from the date of that order to file the amended complaint

22   and was specifically cautioned that the failure to respond to the court's order in a timely manner

23   could result in a recommendation that this action be dismissed. (Id. at 7.) The twenty-eight-day

24   period has expired, and plaintiff has not responded to the court's order in any manner.

25   Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without

26   prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

27   These findings and recommendations will be submitted to the United States District Judge

28   assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days

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after being served with these findings and recommendations, plaintiff may file written objections with the court. A document containing objections should be titled "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may, under certain circumstances, waive the right to appeal the District Court's order. See Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: October 20, 2022

DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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